1/16/09 3:49:26 BK 601 PG 207 DESOTO COUNTY, MS W.E. DAVIS, CH CLERK

STATE OF TEXAS )
COUNTY OF HARRIS )

#### GENERAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, ODESSA RAY MARSHALL ("Grantor"), does hereby grant, bargain, sell, convey, and warrant unto CVS 8994 MS, L.L.C., a Delaware limited liability company ("Grantee"), all of her right, title, and interest in and to the real property situated and being located in DeSoto County, Mississippi described in Exhibit A attached hereto which is incorporated herein, together with all improvements thereon and (existing or to be constructed) all appurtenant rights of Grantor including, without limitation, rights with respect to adjacent streets, roads, alleys and rights-of-way, together with a joint non-exclusive forty (40) foot easement for ingress and egress appurtenant to Grantor's and Grantee's property to and from each of said Lots and Grantor's remaining acreage to Getwell Road as shown on the plat described on Exhibit A (collectively, the "Property");

This conveyance and the warranty contained herein are subject to the exceptions set forth in Exhibit B attached hereto which is incorporated herein.

Grantor warrants that no part of the Property constitutes the homestead of any person.

Taxes for the year 2009 have been prorated and are assumed by the Grantee.

IN WITNESS WHEREOF the Grantor has caused this instrument to be executed on the date indicated in the acknowledgement for the Grantors below, but this instrument is to be effective as of 13 TANUARY, 2009.

ODESSA RAYMARSHALL

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# STATE OF TEXAS)

**COUNTY OF HARRIS)** 

Personally appeared before me, the undersigned authority in and for the said county and state, on this 3 hday of \_\_\_\_\_\_\_, 2009, within my jurisdiction, the within named ODESSA RAY MARSHALL, who acknowledged that she executed the above and foregoing instrument.

My Commission expires:  $\frac{12-27-10}{2}$ 

S. SALLEY ly Commission Expire December 27, 2010

Grantor's Address:

1015 Pine Walk Trail Spring, TX 77388 Ph: (281) 528-9440

Instrument Prepared by

Balch & Bingham LLP P. O. Box 306 Birmingham, AL 35201 (205) 251-8100

Grantee's Address:

One CVS Drive Woonsocket, RI 02985 Attn.: Property Adminstration—Store 8994 Ph: (401) 770-2533

After Recording, Return To: Baskin, McCarroll, McCaskill & Campbell, PA PO Box 190 Southaven, MS 38671 (662) 349-0664 File No: 908348 Initials:

Indexing instructions: Index in CGB Commercial Subdivision, DeSoto County, Mississippi.

1012523.2

### **EXHIBIT A**

# **Description of Real Property**

Lots 1 and 2, CGB Commercial Subdivision, situated in Section 9, Township 2 South, Range 7 West, City of Southaven, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 108 Page 19-20, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

Being more particularly described as follows:

Property description of part of the Drew Bridgforth property as described in Box 17, Page 316 in the Northeast Quarter of Section 9, Township 2 South, Range 7 West in the City of Southaven, DeSoto County, Mississippi:

Commencing at the recognized and accepted Northeast corner of Section 9, Township 2 South, Range 7 West, City of Southaven, DeSoto County, Mississippi, Thence North 90 Degrees 00 minutes 00 seconds West a distance of 92.99 feet to a point; thence South 00 degrees 00 minutes East a distance of 52.80 feet to a point at the West end of a curve having a radius of 40.00 feet located at the Southwest corner of Church Road (53 feet from centerline) and Getwell Road (53 feet from centerline); thence Southeastwardly along said curve to the right a distance of 62.78 feet (chord = South 44 degrees 54 minutes 59 seconds East 56.53 feet, Delta = 89 degrees 55 minutes 22 seconds) to a point in the West line of Getwell Road (53 feet from centerline); thence South 00 degrees 02 minutes 42 seconds West with the West line of Getwell Road a distance of 275.11 feet to a point; thence North 89 degrees 57 minutes 18 seconds West a distance of 553.00 feet to a point; thence North 00 degrees 02 minutes 42 seconds East a distance of 315.80 feet to a point in the South line of Church Road (53 feet from centerline); thence South 89 degrees 52 minutes 40 seconds East with the South line of Church Road a distance of 513.05 feet to the point of beginning and containing 4.00 acres.

### **EXHIBIT B**

## **Permitted Exceptions**

- 1. All taxes and assessments for the year 2009 and subsequent years, both general and special, not yet due and payable.
- 2. Slope Easement executed in favor of DeSoto County, dated December 1, 1984, and filed for record on December 10, 1984 in Deed Book 170, Page 635 in the Office of the Chancery Clerk of DeSoto County, Mississippi.
- 3. Right of Way easement to Mississippi Power and Light dated July 25, 1991, and filed for record on February 3, 1993 in Deed Book 254, page 21, in the Office of the Chancery Clerk of DeSoto County, Mississippi.
- 4. Water Line easement to the City of Southaven dated October 4, 1993, and filed for record on October 12, 1993 in Deed Book 262, Page 747, in the Office of the Chancery Clerk of DeSoto County, Mississippi.
- 5. The protective covenants, building setback lines, utility easements and other restrictions as shown upon or contained in instrument filed of record in the office of the DeSoto County Chancery Clerk, and recorded in said office in Plat Book 108 at Page 19-20.
- 6. Rights of others with respect to the non-exclusive easement for ingress and egress conveyed hereby.
  - 7. Matters that would be shown by an accurate inspection of the Property.
  - 8. Oil, gas, mineral, and mining rights not owned by the Grantor, if any.